

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)

v.)

JOSEPH DIFLUMERA)

Criminal No. 04-40002-NMG

NOTICE OF INITIAL STATUS CONFERENCE

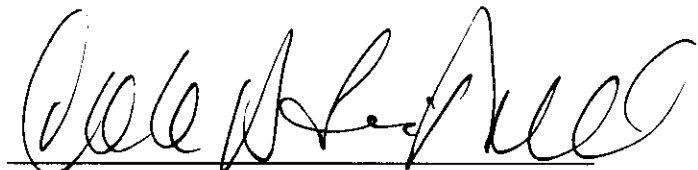
November 29, 2004

SWARTWOOD, M.J.

1. Unless counsel inform the Court in a Joint Memorandum in accordance with LR 116.5(C) on or before **Monday, December 27, 2004**, that there is no need for an initial status conference, such a conference will be held on **Thursday, December 30, 2004, at 10:00 a.m.**, in Courtroom No. 1 on the Fifth Floor, United States District Court, Worcester, MA. If the Joint Memorandum is not filed with the Court on or before **Monday, December 27, 2004**, then the parties must appear for the initial status conference either in person or by telephone.¹

2. If counsel feel that there is need for an initial status conference, then on or before the close of business on **Monday, December 27, 2004**, counsel shall inform my Courtroom Clerk as to whether they want the status conference to be conducted in person or by telephone .

3. **ORIGINALS OF ALL MOTIONS, MEMORANDUMS, PLEADINGS, ETC. MUST BE FILED WITH THE COURT (INCLUDING ELECTRONIC FILING). NEITHER FAXES NOR E-MAIL FILINGS WILL BE ACCEPTED.**



CHARLES B. SWARTWOOD, III
UNITED STATES MAGISTRATE JUDGE

¹ Defendants are not required to be present at the Initial Status Conference. Inasmuch as this court concludes that the Initial Status Conference is not a critical proceeding within the meaning of Rule 43, F.R. Crim. P., defendants in custody will **not** be transported to court for the Initial Status Conference absent a showing of exceptional cause on motion duly filed in advance of the Initial Status Conference, See 43(c)(3), F.R. Crim. P.